

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
NOV 25 2019
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

LAMONA SMITH

Plaintiff(s),

vs.

Dept of Children
& Families
(Chasi)
Defendant(s).

Case No. 19-50319

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is Lamona Kathleen Smith.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

4. Defendant, 'Unknown OFFICER' & (DCFS) ^{Dept of}, is
(name, badge number if known)

☐ an officer or official employed by The OFFICER falsely unlawfully;
(department or agency of government)
me in JUNE of 2010 or

☐ an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is Winnebago. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.

6. On or about _____, at approximately _____ ☐ a.m. ☐ p.m.
(month, day, year)
plaintiff was present in the municipality (or unincorporated area) of Rockford
Memorial Hospital, in the County of Winnebago,
State of Illinois, at 2300 Rockton,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (*Place X in each box that applies*):

- ☒ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☐ used excessive force upon plaintiff;
- ☐ failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;
- ☐ failed to provide plaintiff with needed medical care;
- ☐ conspired together to violate one or more of plaintiff's civil rights;
- ☐ Other:

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: *(Leave blank if no custom or policy is alleged):* _____

8. Plaintiff was charged with one or more crimes, specifically:

*Aggravated Assault on Police Officer At
which time My precious children ~~are~~ Montrell
Klanza Smith, 14 & Montreece Janae Smith
was taken into DCFs custody & I was Chapman
arrested*

9. *(Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other")* The criminal proceedings

☐ are still pending.

☒ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹

☒ Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows *My civil Rights*

☐ Other: _____

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

10. Plaintiff further alleges as follows: *(Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.)*

In June of 2010 I went to Rockford Memorial for medical attention with my two children Montrell & Montreece. The police was racist, unprofessional, & inappropriate. I asked to go to another hospital he got in front of the door. I got my babies & tried to leave he pushed me I pushed him back to get out he then slammed me down on the floor & told me I'm under arrest & my kids going to DCFS. I completed services for 2 yrs Michelle Gurnhart, Meagan Grooms Albert & Shelly Angeles violated my Civil Rights By lying to the courts saying I didn't care about my babies. They Unlawfully involuntary adopted my babies away to Bobby Chapman knowing she was unfit,

11. Defendant acted knowingly, intentionally, willfully and maliciously.

12. As a result of defendant's conduct, plaintiff was injured as follows:

bruises emotional mental physical
and the same for my precious children

13. Plaintiff asks that the case be tried by a jury. ☐ Yes ☐ No

Need to speak to an appointed
attorney about situation

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☐ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including

attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: Lamona K. Smith

Plaintiff's name (print clearly or type): Lamona K. Smith

Plaintiff's mailing address: 3795 Trillin Ave Apt #107

City Rockford State IL ZIP 61103

Plaintiff's telephone number: (661) 425-4750

Plaintiff's email address (if you prefer to be contacted by email): _____

lamona.smith45@gmail.com

15. Plaintiff has previously filed a case in this district. ☐ Yes ☒ No

If yes, please list the cases below.

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.